

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ARTIFEX SOFTWARE, INC.,  
  
Plaintiff,  
  
v.  
  
HANCOM, INC.,  
  
Defendant.

CASE NO. 3:16-cv-06982-JSC

**[PROPOSED] ORDER GRANTING  
DEFENDANT HANCOM, INC.'S MOTION  
FOR PARTIAL SUMMARY JUDGMENT  
ON THE MONETARY RELIEF  
AVAILABLE TO PLAINTIFF ARTIFEX  
SOFTWARE, INC. FOR ITS BREACH OF  
CONTRACT CLAIM**

Date: August 17, 2017  
Time: 9:00 a.m.  
Judge: Hon. Jacqueline Scott Corley  
Dept.: Ctrm F, 15th Floor

McDERMOTT WILL & EMERY LLP  
ATTORNEYS AT LAW  
WASHINGTON

[PROPOSED] ORDER GRANTING  
HANCOM'S MSJ  
CASE NO. 3:16-CV-06982-JSC

1 Before the Court is Defendant Hancom, Inc.'s ("Hancom") Motion for Partial Summary  
2 Judgment on the Monetary Relief Available to Plaintiff Artifex Software, Inc. ("Plaintiff") for its  
3 Breach of Contract Claim ("Motion"). Having considered the papers and arguments in support of  
4 and in opposition to the Motion, I find that Hancom is entitled to judgment as a matter of law. It  
5 is thus hereby ORDERED that Hancom's Motion is GRANTED.

6 This Court holds that Plaintiff cannot recover as a matter of law for its breach of contract  
7 claim a reasonable royalty on or Hancom's profits from the sales of its software that used  
8 Plaintiff's Ghostscript program, whether as damages, disgorgement, or any other form of  
9 monetary relief.

10 This Court further holds that, if Plaintiff ultimately proves that Hancom is liable for  
11 breach of the contract, Plaintiff cannot recover as a matter of law any monetary relief based on  
12 Hancom's sales after March 10, 2008, the date the GNU GPL automatically terminated.

13 DATED this \_\_\_\_ day of July, 2017.

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16 Honorable Jacqueline Scott Corley  
17 United States Magistrate Judge  
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